

U. S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20590

STATEMENT OF JAMES M. BEGGS, UNDER SECRETARY OF
TRANSPORTATION, BEFORE THE SENATE COMMITTEE ON
COMMERCE, SUBCOMMITTEE ON OCEANS AND ATMOSPHERE,
REGARDING S. 1238 AND RELATED BILLS, WEDNESDAY,
APRIL 21, 1971.

Mr. Chairman and members of the Committee:

I appreciate the opportunity to testify today on S. 1238 and related bills, all of which are directed at the serious problem of the contamination of our oceans. I would like to introduce Rear Admiral Robert E. Hammond, Chief of the Office of Operations of the Coast Guard, who is on my right.

Secretary Volpe has said often that at the Department of Transportation environmental quality is a goal, not a constraint. I am pleased to be here today to explore with the Subcommittee how the Department, through the Coast Guard, can play a positive and effective role in regulating ocean dumping.

I graduated from the Naval Academy in 1947. At that time, no one questioned the capacity of the oceans to absorb our waste. We now realize, however, the peril of ocean dumping on a major scale. We now understand that we cannot continue to poison our oceans merely because they seem large enough to dilute the poison.

Administrator Ruckelshaus of the Environmental Protection Agency and Chairman Train of the Council on Environmental Quality will testify

during this hearing. Both of these gentlemen will address themselves to the environmental concerns involved. I need not reiterate their statement of the problem or their commitment to solving it. I would like, however, to assure this Subcommittee that my Department, through the Coast Guard, stands ready to cooperate immediately with the Environmental Protection Agency to carry out those portions of the program which they choose to delegate to us. I can also assure the Subcommittee that the Coast Guard can today fulfill its responsibilities for enforcement under section 8(c) of S. 1238.

In this regard, let me review for you the capabilities of the Coast Guard to carry out this proposed legislation. I have attached to my statement, as Appendix A, a more thorough analysis of what is available in the way of support personnel, materials, and technical expertise to fulfill this mission.

The Coast Guard is already active in the area of ocean dumping as an adjunct to its Marine Environmental Protection Program. On a day-to-day basis, they receive information on planned dumping and record the location, identity of materials, and persons involved in all observed ocean dumping activities. This information is furnished to interested agencies such as the Council of Environmental Quality and the Environmental Protection Agency. They have also monitored many dumping operations upon request.

Based on our experience, we believe effective regulation of ocean waste disposal requires three elements: a permit issuing authority, an available surveillance and enforcement capability, and effective monitoring activity. Clearly, the agency vested with the responsibility for enforcement should have some involvement at each stage of the regulation scheme, particularly the issuance of permits. S. 1238 makes provision for this in section 8(b), and we have already begun to discuss with the Environmental Protection Agency how we can be most useful to them and to the program. It is self-evident that effective surveillance and enforcement calls for knowledge of any permits issued and the terms of those permits.

The Coast Guard engages in a variety of mission areas which would support the role of the Environmental Protection Agency in the regulation of ocean dumping. They have long been established as the Federal maritime law enforcement agency. Their officers and men are trained and experienced in matters of law enforcement just as they are trained and experienced in seamanship. The Coast Guard provides a substantial Federal maritime force for enforcement of the maritime aspects of the Refuse Act and the various other oil pollution laws. They also have a long history of involvement with the marine community in such areas as the handling of dangerous cargo and the issuance of permits for various regulated marine activities.

In addition, the Coast Guard has the facilities to carry out these functions, and with little augmentation, can utilize these same facilities

to participate actively in a program of ocean dumping regulation.

Appendix A outlines in detail the Coast Guard units available for ocean dumping regulatory activity. As you will note, they cover all waters over which the United States has jurisdiction.

The Coast Guard can easily aid the Environmental Protection Agency in the issuance of permits, and I have listed in Appendix A the locations of the already-established Coast Guard Captains of the Port and Marine Inspection Offices. I wish to emphasize that these offices are well known to all members of the marine industry, both national and foreign, and are presently involved in many tasks closely related to ocean waste disposal regulation. Captains of the Port are responsible for the inspection of port structures housing hazardous materials and for the supervision of explosives loading. Marine Inspectors are responsible for the inspection and certification of merchant vessels. These two types of facilities represent an already available administrative force. We believe these offices would be able to absorb a permit issuing function with a modest personnel increase. The FY 1972 budget already contains 26 additional staff members for the Captain of the Port Offices to help handle the increased work loads caused by expanded pollution control and port security duties. Based on a projection of three to six thousand permits a year, we would estimate that an additional \$285,000 for additional personnel would be needed for this function during the first year.

In addition, the Coast Guard's experience and the data they have collected, in the regulation of hazardous material transport, would be readily available to assist the Environmental Protection Agency in making the necessary determinations as to whether or not particular substance should be disposed of at sea. The Coast Guard also collects oceanographic data in support of other missions which, while presently limited in scope, could be utilized in baseline determination.

Captains of the Port have small boats, ranging from 31 to 44 feet, at their disposal for a variety of tasks including the supervision of loading of material to be dumped at sea and other calm water surveillance and monitoring. Eighty-two and 95 foot patrol boats are also available for the same tasks. Medium and high endurance cutters can be utilized too, and these vessels are capable of long-range operations of extended duration. Finally, Coast Guard helicopters and fixed-wing aircraft can respond in less than one hour for surveillance and other duties.

We are currently assuming that surveillance will be required in each instance when toxic or radioactive dumping takes place. In other cases, spot checks will be made in approximately 5 to 10 percent of the dumpings. To specifically carry out the surveillance function, we would initially utilize the six HU 16 aircraft which the FY 1972 budget reactivates for the Marine Environmental Protection program. The Coast Guard estimates that this places an additional burden of 600 aircraft hours or \$315,000 on its resources.

The availability of surface vessels is somewhat more critical. The Coast Guard has estimated that surface surveillance activities will require 350 ship days at a cost of one million dollars. If the Committee would like, I would be pleased to submit for the record how we arrived at this figure.

We would point out that our present fleet is fast approaching its limit of use, even based on multi-purpose missions. Exact requirements cannot be determined, but we believe additions to the fleet in the smaller cutter range will be necessary in the future in order to fully perform our surveillance function.

Further personnel expenses to maintain liaison with the Environmental Protection Agency will be necessary.

If requested, we could also aid the Environmental Protection Agency in oceanographic monitoring of dump sites and adjacent waters. The Coast Guard has, for several years, been a major participant in the United States oceanography program. This participation takes the form of daily observations from lightships and offshore light stations as well as from a variety of ships. Seasonal oceanographic cruises are also carried out in specially equipped vessels. Craft are therefore already available for this function and the only additional cost would be for specialized equipment. In this regard, the Coast Guard Office of Research and Development and the Office of Engineering are developing monitoring

technology and instrumentation to support our present operational programs. Of particular importance will be the development of sensors specifically for pollution control purposes. Finally, our Oceanographic Unit and our marine scientists are skilled and experienced in the evaluation of environmental data as a result of our efforts in oceanography survey work including the International Ice Patrol.

In short, the Department of Transportation stands ready and able to aid the Environmental Protection Agency in administering this program. We believe we have the ongoing facilities to carry out not only the surveillance and enforcement aspects of the program already assigned to us in S. 1238, but also, if delegated by EPA, the permit issuing and ocean monitoring functions.

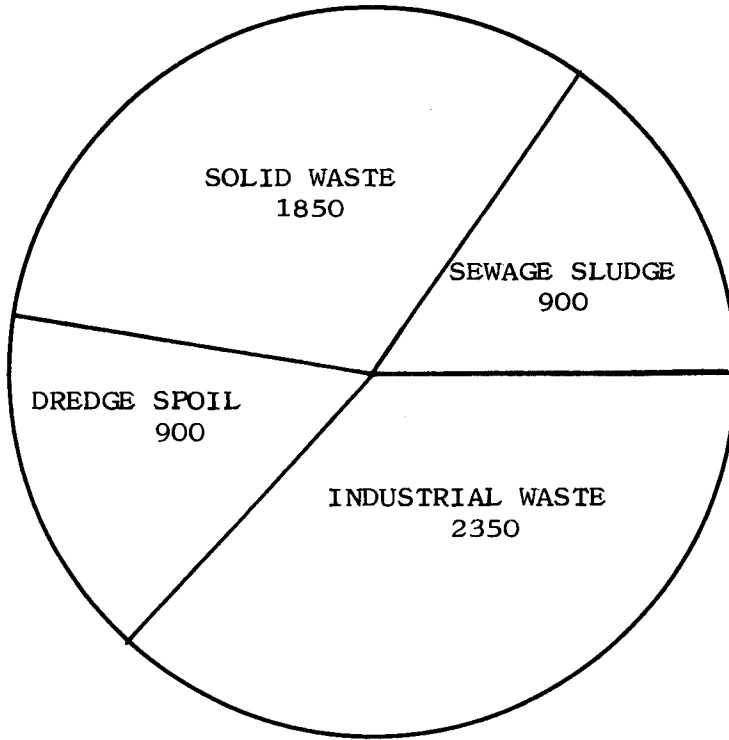
This concludes my prepared statement, Gentlemen. I would now be willing to answer any questions you might have.

APPENDIX A

OCEAN DUMPING

Projected Permit Applications
(Estimated first year)

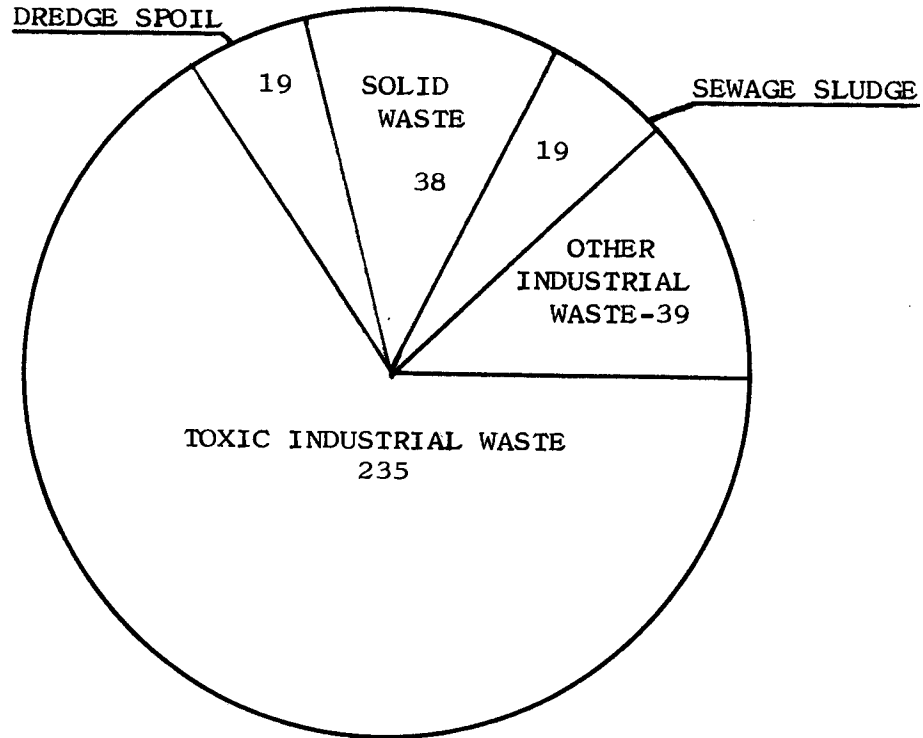
Source: Ocean Dumping, A National Policy; CEQ Report to the President



Total: 6,000

OCEAN DUMPING

Surveillance and Enforcement
(Estimated ship-days in first year)



Total: 350 Ship-days

Personnel Requirements for Dumping/
Permit Issuing/Supervision

- 18 Enlisted in COTP's to issue permits
- 12 Officers (one in each District Office) to coordinate patrol schedules, supervise local operations
- 3 One officer, one enlisted, and one civilian at Headquarters for overall supervision, liaison with EPA and CEQ, handling Congressional correspondence

LOCATIONS OF COAST GUARD CAPTAIN OF THE PORT (COTP)

AND

MARINE INSPECTION OFFICES (MIO)

	<u>COTP</u>	<u>MIO</u>
Portland, Me.	x	x
Boston	x	x
Providence	x	x
New London	x	
New York	x	x
Delaware		
Philadelphia	x	x
Baltimore	x	x
Norfolk	x	x
Wilmington, N.C.	x	x
Charleston	x	x
Savannah	x	x
Jacksonville	x	x
Port Canaveral	x	
Miami	x	x
Key West	x	
Tampa	x	x
Mobile	x	x
New Orleans	x	x

	<u>COTP</u>	<u>MIO</u>
Sabine	x	x
Houston	x	x
Galveston	x	x
Corpus Christi	x	x
Port Isabel	x	x
San Diego	x	x
Long Beach	x	x
San Francisco	x	x
Portland	x	x
Seattle	x	x

LOCATION OF MAJOR COAST GUARD FACILITIES

	<u>HEC</u>	<u>MEC</u>	<u>HH52</u>	<u>H3</u>	<u>C130</u>	<u>HU16</u>	<u>C123</u>
Portland, Me.	1						
Newcastle		2					
Boston	6		3	3		1	
New Bedford	1	1					
New London	1	1					
New York	5	1	4	3			
Cape May		1	2				
Norfolk	5	1					
Elizabeth City			3		6	3	
Wilmington/Morehead City	1	1					
Savannah			2				
Miami	1	1	4			5	1
Key West		1	-				
Tampa/St. Pete		1		4			
Panama City		1					
Mobile/Pensacola	1		18	3		3	
New Orleans				3			
Houston			3				
Galveston		1					
Corpus Christi			2			3	
Port Isabel		1					
San Diego				4			
Long Beach	2	1	2				
San Francisco	2	1	4		2	3	
Eureka		1					
Coos Bay		1					
Seattle	2						
Port Angeles	1		3			3	

MAJOR COAST GUARD FACILITIES

LEGEND:

HELICOPTERS

HH-52A ■

HH-3F □

FIXED WING AIRCRAFT

HU-16E ▲

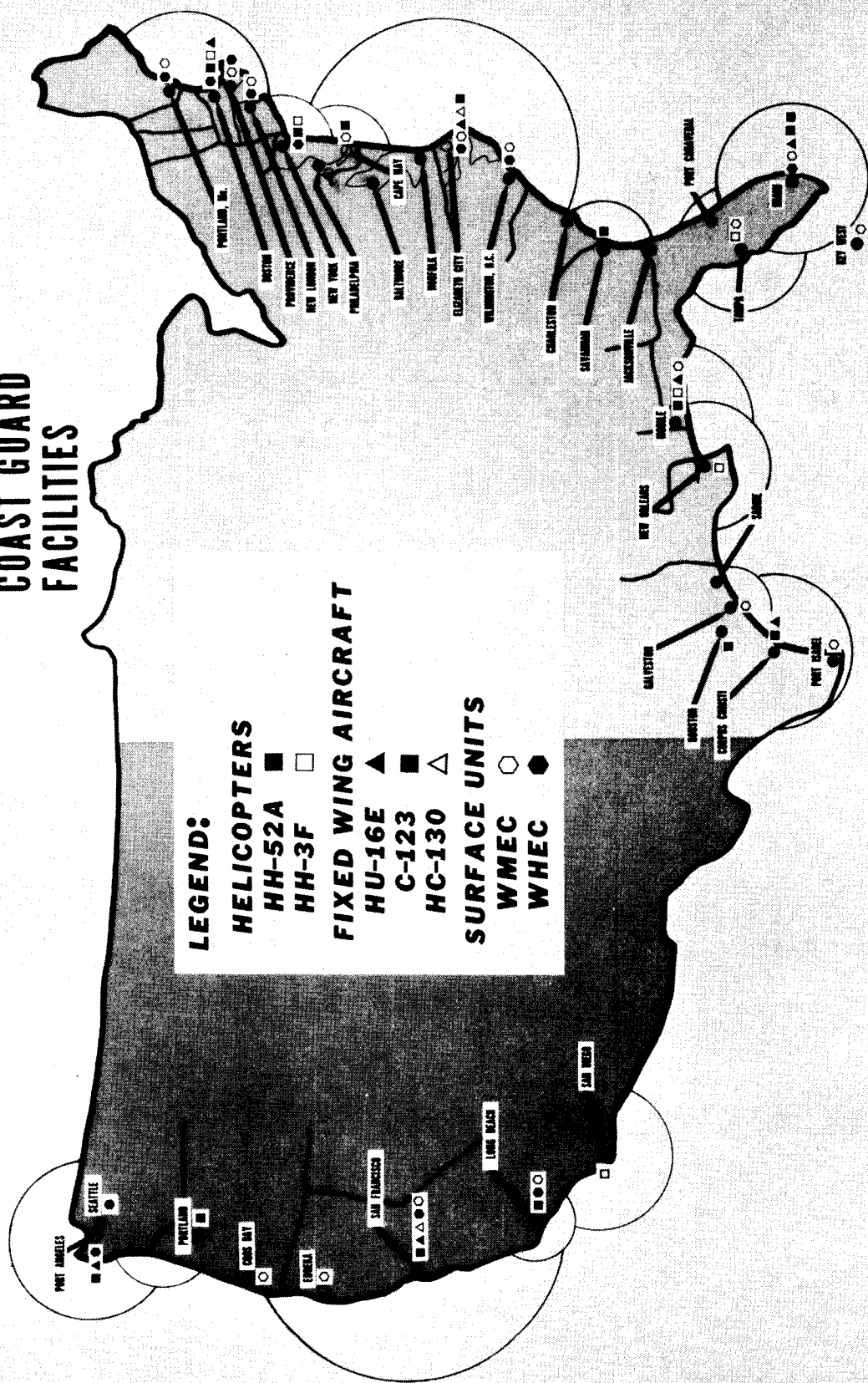
C-123 ■

HC-130 △

SURFACE UNITS

WMEC ○

WHEC ●



LOCATION OF COAST GUARD COTP/MIO

